EXPRESS MAIL NO. EV347011928US

PTO/SB/26 (10-00)

Approved for use through 10/31/2002 OMB 0651-0031 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE Ünder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional) 210121 419C10

In re Application of, Tony N. Frudakis et al.

Application No. 09/699,295

Filed: October 26, 2000

For: COMPOSITIONS AND METHODS FOR THE THERAPY AND DIAGNOSIS OF BREAST CANCER

PECEIVED

JUJE 29 2003

CANCER FECH CENTER 1600/2900

aby disclaims, except as

The owner*. Corixa Corporation of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,344,550. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. X For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.

JUN 1 () 200;

Kathleen Nora McKereghan

_

Typed or printed name

X Terminal disclaimer fee under 37 CFR 1.20(d) included

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner) Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. Patent and Trademark Office. Washington. DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO. Commissioner for Patents. P.O. Box 1450. Alexandria. VA 22313-1450 FD.\NrPortbl\image\UDYD\389378_1.DOC. Pat.PTOSB26.doc [54:04-07]

RECEIVED

PTO/SB/96 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, 'no persons are required to respond to a collection of information unless it displays a valid OMB control number

STATEMENT UNDER 37 CFR 3.73(b)	
Applicant/Patent Owner:Tony N. Fr	udakis et al.
Application No./Patent No.: 09/699,295	Filed/Issue Date: October 26, 2000
Entitled: COMPOSITIONS AND METHODS FOR THE THERAPY AND DIAGNOSIS OF	
BREAST CANCER	
(Name of Assignee)	, a <u>corporation</u> (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)
states that it is:	
1. X the assignee of the entire right, title, and interest; or	
2. an assignee of an undivided part interest	
in the patent application/patent identified above by virtue of either:	
2. an assignee of an undivided part interest in the patent application/patent identified above by virtue of either: A. X An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011549, Frame 0327, or for which a copy thereof is attached.	
B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:	
1. From:	То
The document was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached	
2. From:	То
The document was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached	
3. From:	То:
The document was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.	
Additional documents in the chain of title are listed on a supplemental sheet.	
Copies of assignments or other documents in the chain of title noted in B above are attached.	
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]	
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.	
	Kathleen Nora McKereghan
Date	Typed or printed name
	Child 7 Stagens
	Senior Vice President, General Counsel and Secretary
	Title

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. U.S. Patent and Trademark Office. Washington. DC 20231. DD NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Commissioner for Patents. P.O. Box 1450. Alexandria. VA 22313-1450.